

EXPRESS MAIL CERTIFICATE



Date 7/17/01 Label No. 8903 089 588 US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Name (Print) DB Peck

Signature [Signature]

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No: 3025/1G659-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Raymond POWERS**

Serial No.: 09/832,731

Art Unit: 2161

Confirmation No.: 3451

Filed: April 11, 2001

Examiner: TBA

For: **APPOINTMENT SCHEDULING AND METHOD FOR SECURE
TO ACCESS TO CAR KEYS FOR A LOANER CAR**

PETITION WITH CONDITIONAL PAYMENT OF FEE

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

July 17, 2001

Attention: **Box Missing Parts**

Sir:

This is in Response to the Notice to File Missing Parts of Non-provisional Application mailed on May 24, 2001 in the above-referenced case, which states that the "the oath or declaration is missing."

07/20/2001 TGEDAHU-00000130-09832731

01-FCT:205

65.00.00

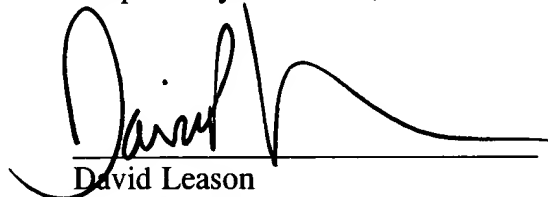
Attached is a copy of the postcard delivered to the Patent Office with the present application which states that executed Declaration was included as part of the application. The

post card was stamped by the Patent Office with application No. "09/832,731" and returned to Applicant. Also attached is a copy of the executed Declaration that was submitted together with the subject non-provisional application. Applicant can only speculate that the Declaration filed by Applicant on the above-referenced filing date may have been misplaced by the Patent Office.

In any event, Applicant hereby asserts that the attached Declaration was submitted with the application on the above-referenced filing date of April 11, 2001 and submit the attached Declaration of Dwight Peck in support thereof.

The Conditional fee of \$65.00 as set forth in the Notice to File Missing Parts of Non-Provisional Application accompanies this Petition. Because Petitioner alleges that no defect caused by Applicant exists, a refund of the petition fee is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Leason", is written over a horizontal line.

David Leason
Reg. No. 36,195
Attorney for Applicants

DARBY & DARBY, P.C.
805 Third Avenue
New York, N.Y. 10022
Phone (212) 527-7700

Return of this card properly stamped, will acknowledge receipt of: PATENT TRANSMITTAL; SPECIFICATION (21 pgs.); DRAWINGS (4 sheets); EXECUTED DECLARATION/POWER OF ATTORNEY;

Check No. 9615 (\$355.00)

Applicant : Raymond Vincent Powers
Serial No.: To Be Assigned
Filed : Concurrently Herewith
For : APPOINTMENT SCHEDULING AND
METHOD FOR SECURE TO ACCESS TO
CAR KEYS FOR A LOANER CAR

Attorney : Eugene L. Szczecina, Jr.
File No. : 3025/1G659 *US2*

Mailed

4/11/01

Mailer

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09/832731



04/11/01



Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 3025/1G659

**DECLARATION
AND POWER OF ATTORNEY
Original Application**

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

**APPOINTMENT SCHEDULING AND METHOD FOR SECURE TO ACCESS TO CAR
KEYS FOR A LOANER CAR**

which is described and claimed in:

☒ [X] the attached specification or

☐ [] the specification in application
Serial No. To Be Assigned, filed
Concurrently Herewith
(for declaration not accompanying appl.)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
USA	60/206,823	May 15, 2000
USA	60/196,563	April 11, 2000

**ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED**

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
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POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

DIRECT TELEPHONE CALLS TO:

David Leason, Esq.
212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

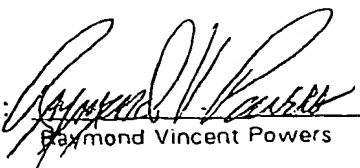
LAST NAME: Powers FIRST NAME: Raymond MIDDLE NAME: Vincent

CITY: Nesconset STATE OR FOREIGN COUNTRY: New York COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 5 Winners Circle CITY: Nesconset STATE OR COUNTRY: New York ZIP CODE: 11767

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1:


Raymond Vincent Powers

DATED:

4/11/01